§103(a) as being obvious over Nishijima in view of Freeman, U.S. Patent No. 6,002,808, and further in view of Chow, U.S. Patent No. 5,016,633. The rejections are respectfully traversed.

Independent claim 1 requires a control processor operative to store the data such that the stored data associated with a portion of the time period closer to an event (whether before, after or before and after) has a first resolution and the stored data associated with a portion of the time further from the event has a second resolution different from the first resolution.

With regard to the storage of data in different resolutions, the Examiner points to Figure 4 and column 3, line 1, through column 4, line 64, of Nishijima as disclosing that recording can be done either in an intermittent mode (at selectable frame rates) or in continuous mode, and image data can be compressed at several different ratios to accommodate recording at different video resolutions. The Examiner asserts that data recorded at a high compression rate would yield a course resolution and data recorded at a lower compression rate would ensure greater resolution.

While it is acknowledged that the apparatus of Nishijima is capable of recording video data at different frame rates and compression ratios, it is respectfully submitted that this does not result in the stored data closer to and further from the event having different resolutions, as required by claim 1. As discussed on page 7, lines 37-40 of the present application, storage requirements for a particular frame are independently effected by resolution of the image, sampling rate of the A/D conversion and the selected compression rate or ratio. That is, resolution of the image and compression of an image at a particular resolution are entirely different. Resolution relates to the quality of the image, while the compression rate

or ratio relates to the amount of data which will be used to represent the image (whatever the resolution of that image). The frame rate does not effect resolution and there is nothing in Nishijima that would suggest that it does.

As further described on page 11, lines 31-37, the storing of images closer to and further from a trigger event at different image resolutions, is distinct from storing such images at different compression and frame rates. Thus, with regard to the storage of data representing different resolution images closer to and further from an event, the present invention accomplishes the objective of Nishijima in an entirely different manner than that disclosed by Nishijima. Neither Freeman nor Chow has been applied as disclosing the storage of images closer to and further from a trigger event at different image resolutions.

Accordingly, it is respectfully submitted that Nishijima fails to teach, or for that matter suggest (either individually or in combination with Freeman and Chow), the control processor recited in claim 1. It is therefore respectfully requested that the rejection of claim 1 and its dependencies (i.e. claims 2-14 and 32-40) be reconsidered and withdrawn.

It is further respectfully submitted that other features recited in the claim 1 dependencies further and independently distinguish over the applied art whether taken individually or in combination.

For example, claim 3 requires that the at least one sensor type include an accelerometer. The limitation of the sensor to include an accelerometer appears to have been ignored. It is acknowledged that Nishijima discloses a variety of event sensors, such as a motion detector, a light detector, a sound detector, a mechanical switch, and a heat (temperature) sensor (see, for example, column 3, lines 41-44). However, it is

respectfully submitted that Nishijima lacks any teaching or suggestion of a sensor which includes an accelerometer.

Claim 4 requires a user activated capture switch, and further limits the control processor to one operative to store only a predetermined amount of data within the memory following user activation of the capture switch. In this way, any desired percentage of the memory can be used for capturing image data after the occurrence of the event (see for example page 9, lines 2-16). Here again, it is acknowledged that Nishijima discloses that an event sensor may be a mechanical switch. However, notwithstanding the type of sensor used, Nishijima explicitly teaches that recording stops either when intentionally terminated or when the end of the magnetic tape is reached (see, for example, column 5, lines 58-64), and lacks any disclosure of storing only a predetermined amount of data within the memory following user activation of a capture switch.

Claim 36 requires that the control processor be operative to encrypt the data prior to storage in the memory. The Examiner asserts it is inherent that data encryption is involved in Nishijima because error detection and correction is disclosed at column 4, lines 61-64. Error detection and correction relate to detecting and correcting encoding errors. Encryption, on the other hand, relates to securing information whether in an encoded or non-encoded state. Hence, there is no correspondence between the required data encryption of claim 36 and the relied upon encoding error detection and correction disclosed by Nishijima.

Claim 40 requires that the control processor be operative to store only a predetermined amount of data following the event. As discussed above in connection with claim 4, the limiting of the storage to a predetermined amount of data following the event allows any desired percentage of the memory

to be used for capturing image data after the occurrence of the event. Nishijima explicitly teaches that recording stops only when either intentionally terminated or the end of the magnetic tape is reached, and lacks any teaching or disclosure of storing only a predetermined amount of data within the memory after an event.

Independent claim 15 requires storing first data associated with a time period closer to an event so as to have a first resolution and second data associated with a time period further from said event so as to have a second resolution different than the first resolution. As discussed above in connection with claim 1, the applied art, whether taken individually or in any combination, lacks any teaching or suggestion of such features. Accordingly, it is respectfully submitted that claim 15 and its dependencies patentably distinguish over the applied prior art.

Additionally, the claim 15 dependencies recite features which further and independently distinguish over the applied art. For example, claim 18 requires encrypting the first data and second data prior to storage, and claim 21 requires that the second frame rate (i.e. the rate after the event) be less than said first frame rate (i.e. the rate before the event).

Claim 44 requires a control processor operative to receive the signal representing the event and to store the data in the at least one circular buffer memory such that the stored data associated with a portion of the time period after receipt of the event signal has a first resolution and the stored data associated with a portion of the time prior to receipt of the event signal has a second resolution lower than the first resolution. As discussed above in connection with claim 1, the applied art, whether taken individually or in any combination, lacks any teaching or suggestion of such a control processor.

Accordingly, it is respectfully submitted that claim 44 and its dependency patentably distinguish over the applied prior art.

Dependent claim 45 requires a user activated capture switch. Following user activation of the capture switch, the control processor is operative to store only a predetermined amount of data within the at least one circular buffer memory. Also required is a user activated purge switch. Following user activation of the purge switch, the data stored in the memory is erased. Additionally required is a user activated still switch. Following user activation of the still switch, the control processor is operative to store a single data sample.

As discussed above, the applied art fails to teach or suggest a user activated capture switch or a control processor operative to store only a predetermined amount of data after activation of such a switch. No specific disclosure within the applied art has been identified as corresponding to the recited user activated purge switch, user activated still switch, or the control processor which is operative to erase the data stored in the memory or store a single data sample, based on activation of the applicable switch. It is further respectfully submitted that no such disclosure exist within the teachings of the applied art references. Accordingly, it is respectfully submitted that claim 45 further and independently distinguishes over the applied art combination.

To the extent the foregoing arguments contradict arguments presented in the response filed on July 14, 2000, the previously presented arguments are hereby withdrawn. Applicants' representative apologizes for any confusion caused by the withdrawn arguments.

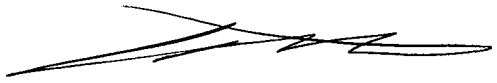
In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner

is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 12-0429 and please credit any excess fees to such deposit account.

Respectfully submitted,

LALOS & KEEGAN



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